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FROM: David E. Boundy

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TO: Examiner R. Ellis

Fax No.:

City:

703 872 9306

Telephone No.: 703 305 9690

Art Unit 2183.

U.S. Patent and Trademark Office

Alexandria

State:

Virginia

CONCERNING APPLICATION:

Applicant(s): Korbin S. Van Dyke, et al.

Serial No.:

09/666,110

Art Unit: 2183

Filed:

September 20, 2000

Examiner: R. Ellis

Title:

COMPUTER FOR EXECUTION OF RISC AND CISC INSTRUCTION SETS

EXPEDITED PROCEDURE – AFTER FINAL

I hereby certify that the attached

- This FAX cover sheet
- Request for Withdrawal of Finality
- Response to Office Action
- Information Disclosure Statement and Form PTO-1449 (4 pages)

along with any paper(s) referred to as being attached or enclosed) are being transmitted by facsimile on November 8, 2004 to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 8, 2004

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Client No.: 114596-26-0051BS

26 Matter No.:

Attorney No.: 12256

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PATENT

NUV 0 8 2004 ATTORNEY DOCKET NO. 114596-26-0051BS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:

09/666,110

Confirmation No.:

1446

Applicant:

Korbin S. Van Dyke, et al.

Title:

COMPUTER FOR EXECUTION OF RISC AND CISC INSTRUCTION

Filed:

Art Unit:

September 20, 2000

Examiner:

2183 R. Ellis

Atty. Docket:

114596-26-0051BS

Customer No.

38492

EXPEDITED PROCEDURE AFTER FINAL

REQUEST FOR WITHDRAWAL OF FINALITY OF OFFICE ACTION

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Applicant observes that the Action of September 7, 2004 was prematurely made final. Applicant requests that prosecution be reopened, and that the Response to Office Action filed herewith be entered as of right.

A number of patent references were submitted on pages 1-2 of the Form 1449 submitted July 2, 2004 and returned with the Office Action of September 7, 2004. However, these references are not initialed, and no objection to consideration of these references is given.

Because examination of the application as pending as of September 2004 was not completed, final rejection and closing of prosecution was premature. Applicant requests that prosecution be reopened and that examination be completed.

> I certify that this correspondence, along with any documents referred to therein, is being transmitted by facsimile on November 8, 2004 to Mail Sup AF, Art Unit 2183 at FAX no. 703 872 9306 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Request for Withdrawal of Finality This paper dated November 8, 2004

114596-26-0051BS

S/N 09/666,110

Application Serial No. 09/666,110 Atty. Docket No. 114596-26-0051BS

For these reasons, the finality of the Action of September 2004 should be withdrawn, and the attached Response to Office Action should be entered.

It is believed that this paper occasions no fee. Kindly charge any fee due to Deposit Account No. 23-2405, Order No. 114596-26-0051BS.

Respectfully submitted,

WILLKIE FARR & GALLAGHER LLP

Dated: November 8, 2004

David E. Boundy

Registration No. 36,461

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PATENT

ATTORNEY DOCKET No. 114596-26-0051BS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:

09/666,110

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Applicant:

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COMPUTER FOR EXECUTION OF RISC AND CISC INSTRUCTION

SETS

Filed:

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Art Unit: Examiner: 2183 R. Ellis

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Atty. Docket:

114596-26-0051BS

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EXPEDITED PROCEDURE AFTER FINAL

RESPONSE TO OFFICE ACTION

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Applicant hereby responds to the Office Action of September 7, 2004. Kindly amend the application as follows.

AMENDMENTS TO THE CLAIMS begin on page 2 of this paper.

REMARKS/ARGUMENTS begin on page 4 of this paper.